

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

NATIONAL COALITION FOR MEN and JAMES LESMEISTER, individually and on behalf of others similarly situated,

Plaintiffs,

v.

No. 4:16-cv-3362

SELECTIVE SERVICE SYSTEM;
DONALD M. BENTON as Director of Selective Service System; and Does 1 through 50, inclusive,

Defendants.

**UNOPPOSED MOTION FOR EXTENSION OF TIME TO
RESPOND TO MOTION FOR SUMMARY JUDGMENT
AND SETTING BRIEFING SCHEDULE**

Defendants the Selective Service System and Donald M. Benton, in his official capacity as Director of the Selective Service System, respectfully move unopposed that the Court extend the dispositive motion cut-off date and Defendants' time to respond to Plaintiffs' motion for summary judgment to October 5, 2018; for Plaintiffs' subsequent response to Defendants' submission to November 16, 2018; and for Defendants' reply brief, if necessary, by December 14, 2018. Defendants' response to Plaintiffs' motion is currently due on September 12, 2018, and the dispositive motion cut-off is September 14, 2018. Defendants received Plaintiffs' concurrence to this proposed briefing schedule.

Defendants have good cause for this extension. Defendants intend to oppose Plaintiffs' motion for summary judgment and, in conjunction with that opposition, file any cross-motion. Counsel for Defendants requires the additional time in order to coordinate consultations among several agencies and government officials, including senior supervisory officials, prepare Defendant's response to Plaintiffs' motion, and also prepare any cross-motion. The requested extension would extend the dispositive motion deadline by just three weeks – to October 5, 2018.¹ The requested extension will help ensure the coordinated briefing of the important issues in the case. Counsel for the Plaintiffs has advised the undersigned counsel for the Defendants that the Plaintiffs do not oppose this requested extension.

A proposed order is attached.

¹ For further reference, October 5 is the date that Defendants' response would have been due had Plaintiffs filed their motion for summary judgment on the dispositive motion cut-off date of September 14, 2018.

Dated: August 28, 2018

Respectfully submitted,

CHAD A. READLER
Principal Deputy Assistant Attorney General

ANTHONY J. COPPOLINO
Deputy Director, Federal Programs Branch

/s/ Michael J. Gerardi
MICHAEL J. GERARDI (D.C. Bar #1017949)
Trial Attorney
U.S. Department of Justice
Civil Division, Federal Programs Branch
20 Massachusetts Avenue NW
Washington, D.C. 20530
Tel: (202) 305-0531
E-mail: michael.j.gerardi@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on August 28, 2018, I electronically filed a copy of the foregoing. Notice of this filing will be sent via email to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF System.

/s/ Michael J. Gerardi
MICHAEL J. GERARDI

CERTIFICATE OF CONFERENCE

I hereby certify that I conferred with plaintiffs' counsel about the relief requested in the foregoing and plaintiffs' counsel indicated plaintiffs consented to the foregoing.

/s/ Michael J. Gerardi
MICHAEL J. GERARDI